

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

UNITED STATES OF AMERICA )  
 ) DOCKET NO. 1:18CR94  
v. )  
 ) FACTUAL BASIS  
CHRISTOPHER PATRICK TANFIELD )  
 )

NOW COMES the United States of America, by and through R. Andrew Murray, United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the plea agreement filed simultaneously in this matter.

This Factual Basis is filed pursuant to Local Criminal Rule 11.2 and does not attempt to set forth all of the facts known to the United States at this time. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the defendant will tender pursuant to the plea agreement, and that the facts set forth in this Factual Basis are sufficient to establish all of the elements of the crime(s). The parties agree not to object to or otherwise contradict the facts set forth in this Factual Basis.

Upon acceptance of the plea, the United States will submit to the Probation Office a "Statement of Relevant Conduct" pursuant to Local Criminal Rule 32.4. The defendant may submit (but is not required to submit) a response to the Government's "Statement of Relevant Conduct" within seven days of its submission. The parties understand and agree that this Factual Basis does not necessarily represent all conduct relevant to sentencing. The parties agree that they have the right to object to facts set forth in the presentence report that are not contained in this Factual Basis. Either party may present to the Court additional relevant facts that do not contradict facts set forth in this Factual Basis.

On October 8, 2016, through a peer-to-peer sharing network known as "Ares," Special Agent R.V. White with the North Carolina State Bureau of Investigation downloaded nine files containing child pornography depicting minor children between the ages of 5-12 years from an IP address registered to Christopher Patrick TANFIELD at 99 Dale Street, Asheville, North Carolina, 28806.

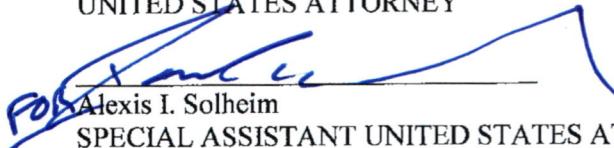
On November 22, 2016, agents executed a search warrant of TANFIELD's residence at 99 Dale Street and located a Dell desktop computer running the Ares peer-to-peer sharing software. At the time of the warrant execution, agents witnessed the Dell Desktop computer engaged in an active download of files containing child pornography. The download had been initiated by TANFIELD. In an interview that same day, TANFIELD admitted to downloading child pornography, including via the Ares software, to the computers and other electronic devices in his home.

One of the images located on TANFIELD's Dell desktop computer was an image of a 4 to 7 year old girl laying nude on a white bed with her legs spread exposing her vagina. An adult white male has his penis inserted into her anus.

In addition, TANFIELD downloaded a child pornography video file via the Internet titled */newVickyphcdarkstudio/22.avi* to the Dell desktop on October 8, 2016. The video is approximately 5 minutes and 59 seconds long depicting a nude pre-pubescent white female between 9 and 12 years of age performing oral sex on an adult white male's penis. The video contains several cuts of different positions and angles of the child performing oral sex on the male.

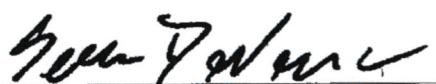
The Ares software operates via the Internet. The Internet is a facility of interstate commerce. The Dell desktop computer's hard drive was manufactured in China.

R. ANDREW MURRAY  
UNITED STATES ATTORNEY

  
Alexis I. Solheim  
SPECIAL ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis, the Bill of Indictment, and the plea agreement in this case, and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Factual Basis, the Bill of Indictment, and the plea agreement. I hereby certify that the defendant does not dispute this Factual Basis.

  
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Sean Devereux, Attorney for Defendant

DATED: 3/18/19